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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,447	09/19/2003	Oscar Dale Larson	8372/90620	8356

24628 7590 04/22/2004

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EXAMINER

SLACK, NAKO N

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/666,447

Applicant(s)

LARSON ET AL.

Examiner

Naoko Slack

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 74-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 74-79 is/are allowed.
- 6) ☒ Claim(s) 80 and 82-85 is/are rejected.
- 7) ☒ Claim(s) 81 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date April 16, 2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Preliminary Amendment

In view of Applicant's Preliminary Amendment received January 5, 2004, claims 1-73 have been cancelled and claims 74-85 have been examined.

Specification

The disclosure is objected to because of the following informalities: The first paragraph of the specification should include all related applications and patents, where applicable. In this case, the continuing data should state that this application is a continuation of US application Serial No. 10/010,953 which has become US Patent 6,655,108.

Appropriate correction is required.

Claim Rejections – 35 USC 103

The following is a quotation of 35 USC 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 80, 82-85 is rejected under 35 USC 103(a) as being unpatentable over US Patent 5,620,216 to Fuller.

Claims 80, 83 and 84:

Fuller discloses a door comprising first and second spaced apart elongated planar sides bound by first and second parallel edges (column 6, lines 1-7), a mortise lock, and a noncircular lock boring. As illustrated in Figure 11, the boring width is greater than fifty percent of the width of the door body. The ratio of the height of the lock to the width of the lock clearly exceeds 1.8.

Fuller does not specify a door of width less than eight tenths of an inch or greater than one half inch; however, the thickness of the door is considered a matter of obvious design choice to one of ordinary skill in the art, as doors may be made to any dimensions to satisfy the particular design needs.

Claim 82:

As illustrated in Figure 11, the boring width is greater than fifty percent of the width of the door body. The ratio of the height of the lock to the width of the lock clearly exceeds 2.0.

Claim 85:

While Fuller does not specify that sheet material covers the sides of the door, Fuller states that the invention may be used with any door containing a boring to receive the lock, including panel doors wherein panels are bounded by rails and stiles (column 6, lines 1-7).

Objection to Claims, Allowable Subject Matter

Claim 81 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowable Subject Matter

Claims 74-79 are allowed.

Prior Art Made of Record

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US Patent 5,839,252 to Berghorn et al. discloses a door comprising spaced planar sides, a boring, and a lockset, but fails to disclose a boring on each side of the door edge, a mortise lock with curved ends and planar side, nor a door width of less than ten eighths of an inch. US Patent 5,620,216 to Fuller discloses a door, either solid or composite, with a noncircular boring that receives a lock mechanism but fails to meet the specific dimensions of the door width being less than eight tenths of an inch.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naoko Slack whose telephone number is (703) 305-0315. The examiner can normally be reached on Mon-Fri (6:00 am-2:30pm EST). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Carl D. Friedman can be reached at (703) 308-0839. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9326 for regular communications and (703) 872-9327 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

NS
April 18, 2004

A handwritten signature in black ink, appearing to read 'Naoko Slack', with a long horizontal flourish extending to the right.

Naoko Slack
Patent Examiner